

### **REMARKS**

Applicants have carefully reviewed the Final Office Action mailed on November 10, 2008. Applicants respectfully traverse (and do not concede) all objections, rejections, adverse statements, and adverse assertions made by the Examiner. With this amendment, claims 10 and 12 are amended into independent form. No new matter is added. Please cancel claims 1, 3, 5-9, 11, and 13-16 without prejudice. Claims 2, 4, 10, 12, 17-26, 28, and 33 remain pending.

#### **Allowable Subject Matter**

Applicants wish to thank the Examiner for indicating that claims 2, 4, 17-26, 28, and 33 are allowed.

Claims 10 and 12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. These claims are amended into independent form and are now believed to be allowable.

#### **Claim Rejections Under 35 U.S.C. §103**

Claims 1, 3, 5-7, 9, 11, and 13-15 are rejected under 35 U.S.C. §103(a) as being unpatentable over Tartacower et al. in U.S. Patent No. 5,606,981 in view of Johansen in WO 2004/091440. Without conceding the merits of the rejection, please note that claims 1, 3, 5-7, 9, 11, and 13-15 are now cancelled without prejudice, rendering the rejection moot. Applicants reserve the right to pursue these claims or claims of a similar scope in the future.

Claims 8 and 16 are rejected under 35 U.S.C. §103(a) as being unpatentable over Tartacower et al. in view of Johansen. Without conceding the merits of the rejection, please note that claims 8 and 16 are now cancelled without prejudice, rendering the rejection moot. Applicants reserve the right to pursue these claims or claims of a similar scope in the future.

**Conclusion**

Reexamination and reconsideration are respectfully requested. It is respectfully submitted that all pending claims are now in condition for allowance. Issuance of a Notice of Allowance in due course is requested. If a telephone conference might be of assistance, please contact the undersigned attorney at (612) 677-9050.

Respectfully submitted,

David J. Parins

By his Attorney,

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